



ROBERT R. KANUIT**
JOHN H. BRAY

ATTORNEYS AT LAW

September 15, 2004

U.S. Bankruptcy Court
416 U. S. Courthouse
515 W. 1st Street
Duluth, Minnesota 55802

RE: Bankruptcy Case No.: 03-50867
Debtor: David S. Swartz
Our File No.: 03-512K

Dear Clerk:

I hereby withdraw my motion for turnover in the above matter which is set for hearing on October 6, 2004, at 2:00 p.m., before Judge Kishel.

Thank you.

Sincerely,

/e/ Robert R. Kanuit
Robert R. Kanuit

RRK:bkp
pc: Martha M. Markusen, Esq.
U.S. Trustee

North Shore Bank Place
4815 West Arrowhead Road
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Hermantown, MN 55811
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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re:

Bky Case No.: 03-50867 GFK

DAVID S. SWARTZ,

Debtor.

UNSWORN DECLARATION FOR PROOF OF SERVICE

The undersigned, being an employee of Kanuit & Bray, Ltd., attorneys licensed to practice law in this Court, with office address of 4815 W. Arrowhead Road, Hermantown, MN 55811, declares under penalty of perjury that on the date stated below, she served the annexed **letter withdrawing Motion for Turnover** on the persons/entities named below by mailing to them a copy thereof by enclosing same in an envelope with first class mail postage prepaid and depositing same in the post office at Hermantown, Minnesota, addressed as follows:

David S. Swartz
2383 Smith River Road
Duluth, MN 55804

Martha M. Markusen
Fryberger, Buchanan, Smith & Frederick, P.A.
302 West Superior Street
Duluth, MN 55802

U.S. Department of Justice
Office of the United States Trustee
U.S. Courthouse, Suite 1015
300 South Fourth Street
Minneapolis, MN 55415

Dated this 15th day of September, 2004.

/e/ Bonnie K. Vanderpool
Bonnie K. Vanderpool